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By: _____

Printed: Lisa McDill

#19

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ALZA CORPORATION

Inventor(s): CORMIER, et al.

Application No.: 09/190,887

Filed: November 12, 1998

Title: **BUFFERED DRUG FORMULATIONS FOR
TRANSDERMAL ELECTROTRANSPORT
DELIVERY**

Attorney Docket No.:
ARC 2589 US CIP1

Mail Stop Petition
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

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OFFICE OF PETITIONS

PETITION TO REVIVE under 37 CFR 1.137(b)

Applicants hereby petition the revival of the above-identified application, which became unintentionally abandoned for failure to file a timely and proper reply to the notice of action mailed 02/04/2002 by the U.S. Patent and Trademark Office.

1. Please charge the requisite fee of \$1500.00 for revival of an unintentionally abandoned application to Deposit Account 10-0750.

2. A reply to the Office Action mailed before the abandonment is submitted herewith.

Atty. Docket No.: ARC 2589 US CIP1
Serial No.: 09/190,887

3. No terminal disclaimer is required for the present petition to revive because the original application was filed after 1995.

4. The entire delay in reviving this application was unintentional. The Notice of Abandonment was mailed in October, 2002. Before the Notice of Abandonment, the last office action was mailed by the USPTO on 2/4/2002.

(a) In June 2001, Alza Corporation, located in California, became a wholly-owned subsidiary of Johnson and Johnson, based in New Jersey. After that, a great deal of adjustment to the previous practice procedures was made by our patent departments to integrate all the Alza applications and patents into the Johnson and Johnson system. For example, Alza application files were temporarily sent from California to New Jersey for copying and docketing functions.

(b) Furthermore, during the past three years there was a tremendous amount of turnover of the Alza patent staff. None of the patent lawyers of the pre-Johnson-and-Johnson era are still with Alza. In fact, the undersigned attorney joined Alza Corporation only a few months ago, and his secretary only one month ago.


Therefore, the abandonment of the application was unintentional and the entire delay in petitioning its revival was also unintentional.

The Commissioner is respectfully requested to contact the undersigned at (650) 564-7054 to clarify any unresolved issues raised by this response.

The Commissioner is authorized to charge any additional required fee or to deposit refund to Deposit Account 10-0750.

Respectfully submitted,

Dated: February 7, 2005


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